

6P 3652

Attorney Docket No.: 98-119

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jay S. Walker et al.  
For: VENDING MACHINE SYSTEM AND  
METHOD FOR ENCOURAGING THE  
PURCHASE OF PROFITABLE ITEMS

Examiner: Not Yet Assigned

Serial No.: 09/345,092  
Filing Date: June 30, 1999

Group Art Unit: 3651  
Docket No.: 98-119

Assistant Commissioner for Patents  
Washington, D.C. 20231

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GROUP 2700

#2

## TRANSMITTAL LETTER

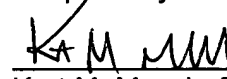
Sir:

Applicants hereby submit the following documents for the above-identified patent application:

1. Information Disclosure Statement;
2. Form PTO-1449;
3. Copy of twelve (12) references cited therein; and
4. Return Receipt Postcard.

The Commissioner is hereby authorized to charge \$ 0.00 to Deposit Account No. 50-0271 for the fees required for the enclosed Information Disclosure Statement. Order No. WD2-98-119. The Commissioner is further authorized to charge any further required fees, or to credit any overpayment, to Deposit Account No. 50-0271. Order No. WD2-98-119. A duplicate copy of this authorization is attached for such purpose.

Respectfully submitted,

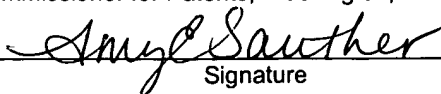
  
Kurt M. Maschoff  
Attorney for Applicants  
PTO Reg. No. 38,235  
Walker Digital Corporation  
One High Ridge Park  
Stamford, CT 06905

9/December/1999  
Date

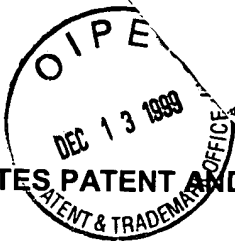
## Certificate of Mailing

I hereby certify that this correspondence is being sent via first class mail in an envelope with sufficient postage addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on 9/December/1999.

Amy E. Sauter  
Name of Person Making Deposit

  
Signature

9/December/1999  
Date



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**INFORMATION DISCLOSURE STATEMENT**

Group 2700

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed below and on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider these items and to independently ascertain their teaching.

- A. U.S. Patent No. 4,412,292 entitled "SYSTEM FOR THE REMOTE MONITORING OF VENDING MACHINES," issued to Jason K. Sedam et al. on October 25, 1983.
- B. U.S. Patent No. 4,551,935 entitled "DISPLAY PANEL FOR VENDING MACHINES," issued to G. Merle Bachmann et al. on November 12, 1985.
- C. U.S. Patent 4,654,800 entitled "CONTROL AND MONITORING APPARATUS FOR VENDING MACHINES," issued to Yukichi Hayashi et al. on March 31, 1987.
- D. U.S. Patent 5,353,219 entitled "SUGGESTIVE SELLING IN A CUSTOMER SELF-ORDERING SYSTEM," issued to Raymond J. Mueller et al. on October 4, 1994.
- E. U.S. Patent 5,831,862 entitled "AUTOMATIC TRANSACTION SYSTEM WITH A DYNAMIC DISPLAY AND METHODS OF ITS OPERATION," issued to Michael C. Hetrick et al. on November 3, 1998.
- F. Atsushi Nakayama, "Coca-Cola machines to be 'smarter'; The Teleterminal control system is aimed at keeping customers, and machines, satisfied", The Japan Economic Journal, February 23, 1991, Page 22.
- G. Tim Davis, "Vending suppliers scurry to meet Coke-mandated vendor communications standards", Beverage World, December 1992, Page 82.
- H. Allan Z. Gilbert, "Financial Management: A call to action for wireless data communication", Automatic Merchandiser, August 1996, Pages 62-64.
- I. "Coupon acceptor; Coinco", Beverage Industry, July 1998, No. 7, Vol. 89, Page 38.
- J. "Coinco offers BA-30 dollar bill acceptor", Automatic Merchandiser, August 1998, Page 33.
- K. Rich Karlgaard, "Keep your eyes on the prize", Forbes, September 21, 1998, Page 43.
- L. "Coupon acceptor", Beverage Industry, December 1998, No. 12, Vol. 89, Page 34.

1. ☐ Any copy of the items listed above and on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation in part application filed under 37 C.F.R. §§ 1.53 or 1.60, U.S. Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
2. ☐ For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): \_\_\_\_\_.
3. ☐ For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): \_\_\_\_\_.
4. ☒ In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
08/947,798	Tedesco et al.	09-Oct-1997	2786	
09/152,905	Tedesco et al.	14-Sep-1998	3615	
09/164,670	Walker et al.	01-Oct-1998	3615	
09/012,163	Walker et al.	22-Jan-1998	2765	

The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application.

5. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
  - ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
  - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
  - ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
6. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c),

after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below.

7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 11 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below; and
- b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 11 below.

9. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
- ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
- ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 11 below.

10. ☐ I hereby certify:

- ☐ that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

- ☐ that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

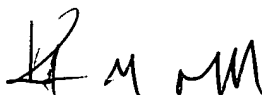
11. ☐ Please accept payment of the fees due as indicated below:

- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).
- ☐ The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose
- ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
- ☐ The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

12. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

Respectfully submitted,

9/December/1999  
Date

  
\_\_\_\_\_  
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